

# **NAVAL POSTGRADUATE SCHOOL**

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## **THESIS**

**HUMAN RIGHTS AND U.S. FOREIGN POLICY  
IN NORTH KOREA**

by

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Current U.S. foreign policy toward North Korea is centered on the nuclear "Agreed Framework" and the perceived military threat that the DPRK poses to South Korea and the region. To date, human rights issues have not been a viable part of U.S. foreign policy toward North Korea. In response, this thesis proposes foreign and security policies that clearly address the connections between human rights issues and the North Korean military threat.

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**HUMAN RIGHTS AND U.S. FOREIGN POLICY IN NORTH KOREA**

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## **ABSTRACT**

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## I. INTRODUCTION

### A. INTRODUCTION

For over fifty years the Korean peninsula has been divided, with the Democratic People's Republic of Korea (D.P.R.K.) to the north, and the Republic of Korea (R.O.K.) to the south. During this time, the D.P.R.K. has depended almost solely on China and the Soviet Union to survive, while in the south, with the aid of the United States, the R.O.K. has flourished economically and politically. With the end of the Cold War and the collapse of the Soviet Union, the socialist society under Kim Il Sung and Kim Jong Il has suffered immensely. Mismanagement and inefficiency by the socialist regime, coupled with recent natural disasters such as floods and famines, have left millions of North Koreans starving.

While reunification may loom on the horizon, current U.S. foreign policy focuses on maintaining "peace and stability" on the Korean peninsula. Currently, the North Korean regime appears to have a strong grip on its citizens, however, if the conditions become too unbearable, there exists the possibility of an attempted coup or a mass exodus of refugees to surrounding countries. Both of these examples would not only cause disruption within the D.P.R.K., but would also greatly affect the stability of the entire region.

With this in mind, the United States should do everything possible to improve the human rights conditions in the D.P.R.K. Whether this is done by incorporating human rights initiatives into current foreign policy, or by addressing these issues in another manner, improvements must be accomplished. The probability of instability in the D.P.R.K. spilling over its borders into countries such as Japan and South Korea is very high, and would be detrimental to U.S. security interests. Therefore, no matter how it is accomplished, it is imperative that the United States focuses its attention on improving the human rights conditions in the D.P.R.K.

#### **B. PLAN OF THE THESIS**

With the ultimate goal of developing a viable policy to improve the human rights conditions in North Korea, Chapter II examines the current human rights conditions in the D.P.R.K. It addresses some of the major factors that contribute to the multitude of human rights violations that occur within the country. The most important of these is the regime's requirement of complete loyalty and obedience from its population. In order to maintain regime security, all individual rights must be subordinated. In other words, individual freedoms are perceived to be a threat to regime security, and therefore restricted. Additionally, Chapter II illustrates how the recent natural disasters, combined with gross mismanagement

and inefficiency of the regime, have denied even the most basic of human necessities, namely food.

Chapter II examines the North Korean constitution, which focuses on the disparity between the rights that are promised to each individual, juxtaposed with the realities within the country. This chapter also shows that the commitment the D.P.R.K. has made with respect to the United Nations and the Universal Declaration of Human Rights of 1948 is almost entirely ignored today. Finally, the concept of *juche* and “Cult of Kim” are addressed.

Chapter III focuses on how current human rights conditions in the D.P.R.K. affect the U.S./R.O.K./D.P.R.K. relationship. Although each of these countries is notionally obligated to the concept of “universal human rights,” Chapter III demonstrates that each has a differing opinion of the true meaning of human rights, and how they should be incorporated into foreign policy. This chapter also explores the 1994 Agreed Framework, and how human rights issues are associated with this agreement.

Chapter IV addresses the three primary policy options. In the first option, human rights issues are separated from stated U.S. foreign policy. Human rights issues are handled either by a separate government agency, or a Nongovernmental Organization (NGO). The second option tightly links human rights to other foreign policy issues. Human rights are linked to both security and economic

assistance. Assistance is based on the level of human rights progress that each country achieves. In the third option, human rights are loosely linked to other foreign policy issues. Human rights are still addressed by foreign policy, but assistance is not based on human rights progress. The pros and cons of each policy are investigated.

Finally, Chapter V presents a policy recommendation addressing the stated U.S. goals regarding North Korea. This policy will attempt to improve the human rights situation, while simultaneously promoting “peace and stability” in the region.

## **II. CURRENT HUMAN RIGHTS CONDITIONS IN NORTH KOREA**

### **A. INTRODUCTION**

In North Korea, the relationship between human rights and national security is highly adversarial. North Korea is a unique country, having many unusual influences that affect this relationship. The closed, highly secretive, socialist society that North Korea has chosen, relies heavily on the suppression of individual human rights. North Korea does not explicitly claim to subscribe to the “Asian values” argument that has become prevalent in other Asian societies.<sup>1</sup> Human rights are suppressed for other reasons that may have defacto roots in Asian values. In North Korea, individual human rights are considered to be a threat to regime security. In other words, the regime’s ability to function depends on the elimination of individual human rights.

Although the North Korean constitution provides many of the same freedoms that appear in those of democratic countries, and it has sworn to uphold

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<sup>1</sup>For more information on human rights and the “Asian Values” argument see Xiaorong Li, “Asian Values’ and the Universality of Human Rights,” Report From the Institute for Philosophy and Public Policy 16, No. 2 (Spring 1999). Available Online: <http://www.puaf.umd.edu/IPPP/li.htm>[19 Jul 99]. The author states that governments in the region make four claims about the “Asian View” of human rights. These are (1) Rights are “culturally specific.” (2) The community takes precedence over individuals. (3) Social and economic rights take precedence over civil and political rights. (4) Rights are a matter of national sovereignty.

the idea of “universal human rights” as put forth by the UN Declaration of Human Rights of 1948, the reality of the situation is quite different.

The North Korean government stresses that individual rights are not a priority, nor are they essential for a prosperous society. Instead, the regime emphasizes collectivism to support the populace, and denounces individualism.

North Korea’s approach is to provide for its citizen’s needs as a collective unit, rather than as individuals. Therefore, the only “rights” that the North Korean people are promised, are those that form the basis of most socialist societies. These are food, shelter, education, and health care.

In North Korea, regime security depended solely on Kim Il Sung’s, and now Kim Jong Il’s, ability to maintain complete control over the North Korean population. In order to do this, human rights, as they are understood in the West, must be completely suppressed and the regime must have the total loyalty of its citizens.

To suppress individual human rights and maintain regime security in North Korea a few different methods have been developed. Following the devastation of the Korean War, Kim Il Sung introduced the idea of *juche* in an effort to rally the citizens of the D.P.R.K. behind his leadership. Soon after this, the “Cult of Kim” and “Kimilsungism” were developed. In addition, the “10 point principle” became the standard for all North Korean citizens to follow. All of these concepts, which

will be explained below, are designed to provide direction to North Korean citizens and require that they be completely obedient and subordinate to their great leader.

Another important aspect relating to human rights in North Korea is the relative lack of interest by outside organizations. To date, international pressure on North Korea, with respect to its numerous human rights violations, has been minimal. Until recently, only a few NGOs have been permitted into the country. The visits have been highly structured, thus making it very difficult to prove many of the alleged human rights abuses.

## B. CURRENT HUMAN RIGHTS CONDITIONS

Ko Young Hwan, a one time section chief in North Korea's Foreign Ministry, stated that the idea of "human rights" is unknown to the people of North Korea, and that "even college professors and high-ranking government officials are totally ignorant of the 'Universal Declaration of Human Rights'...."<sup>2</sup> Although the D.P.R.K. has pledged to the UN to abide by such declarations, and has included such freedoms as speech, press, religion, and travel in its constitution, it actually does not seek to implement these principles in practice.

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<sup>2</sup>Ko Young Hwan, "Human Rights Conditions in North Korea," *East Asian Review* 7, No. 4 (March 1996), p. 86.

The D.P.R.K.'s hollow commitment to universal human rights is reflected in some of the human rights violations that are occurring in North Korea today. One freedom that is infringed upon regularly by the regime is the freedom of speech. The State Department's Report on Human Rights in the D.P.R.K reported that a scientist in the North Korea, whose radio was bugged, was arrested and executed for making statements against Kim Il Sung. In another instance, a whole family was sent to a "reeducation camp" because one member had made statements criticizing the D.P.R.K. government.<sup>3</sup> These examples are not uncommon. They illustrate some of the harsh limitations that are placed on an individual's right to free speech in North Korea.

Free speech is also very restricted in the North Korean press. The explicit goal of the press in the D.P.R.K. is to be the voice of the Korean Workers' Party (KWP) and government.<sup>4</sup> The press is tightly controlled by the regime. No deviation from the party line is allowed, and similar to all other facets of the government, the aim of the press is to support the state.

Radio and television broadcasts are used for informational and propaganda purposes, rather than as a "watchdog" over the government. Although the majority

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<sup>3</sup>Department of State, Bureau of Democracy, Human Rights, and Labor, *Democratic People's Republic of Korea: Country Report on Human Rights Practices for 1998*, (February 1999). Available Online: [http://www.state.gov/www/global/human\\_rights/1998\\_hrp\\_report/](http://www.state.gov/www/global/human_rights/1998_hrp_report/) [03 Oct 99].

of North Korean households have radios, and some even have television; they are restricted, and unable to tune into any station other than those operated by the government.<sup>5</sup> The D.P.R.K. allows no outside media to infiltrate its population and only a few, select, high-ranking officials have access to international media.

Religion is another freedom that, in writing, is provided to the people of the D.P.R.K., but in practice, is prohibited. Kim Il Sung stated that:

Religion is a superstition. All religions, be they Christianity or Buddhism, belong, in essence, to the same superstition. Historically, religion has always been the tool of the ruling class who want to deceive, suppress and exploit the working class for the benefit of their interests. In the modern age, the imperialists have been using religion as an ideological tool to invade underdeveloped countries.<sup>6</sup>

Even though the North Korean regime strictly prohibits religion, the state has established bogus religious organizations such as the “Christian League” and the “Buddhist League.” Moreover, churches have been constructed in Pyongyang in support of the state-sponsored religious groups. These organizations provide the

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<sup>4</sup>Kim Jong Il, *Kim Jong Il: Accomplishing Juche Revolutionary Cause* 1 (Pyongyang: Foreign Languages Publishing House, 1990), p. 6.

<sup>5</sup>Andrea Matles Savada, ed., *North Korea: a Country Study* (Washington D.C.: Federal Research Division, Library of Congress, 1994), p. 194.

<sup>6</sup>Kim Il Sung, *The Selection of Kim Il Sung's Works* 1 (Pyongyang: North Korean Workers' Party Press, 1967), p. 173.

means with which North Korean delegates are able to travel abroad for propaganda purposes.<sup>7</sup>

The freedom to enjoy unrestricted travel is also absent in the D.P.R.K. Citizens are required to obtain a pass for any travel outside of one's hometown. Passes are usually granted only for official business or to attend a relative's wedding or funeral. The approval process often extends beyond the requested date of travel, thereby denying travel in circumstances that are normally approved.<sup>8</sup> Additionally, travel to foreign countries is restricted to high-ranking officials, religious figures, athletes, and academics.

Until recently, travel has been easily controlled. Today it seems that travel restrictions have eased, and in some instances, even broken down. It has been reported that villagers are disregarding travel laws in an effort to secure food for their starving families. Presently, it is unclear why the regime is permitting free travel, whether it is a conscious decision to ease restrictions or they are simply unable to control the masses during these times of severe food shortage.<sup>9</sup>

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<sup>7</sup>Chang Yun Ik, "Human rights Violations in North Korea: Tragic fate of Writers of South Korean Origin," *East Asian Review* 6, No. 1 (Spring 1994), p. 98.

<sup>8</sup>Department of State, Bureau of Democracy, Human Rights, and Labor, *Democratic People's Republic of Korea: Country Report on Human Rights Practices for 1998*, (February 1999). Available Online: [http://www.state.gov/www/global/human\\_rights/1998\\_hrp\\_report/](http://www.state.gov/www/global/human_rights/1998_hrp_report/) [03 Oct 99].

<sup>9</sup>Byoung-lo Kim, "The Social Impact of the North Korean Food Crisis," *Naewoe Press Studie*,(December 1998). Available Online: <http://www.koreaherald.co.kr/nknews/nk1298/nk12mst1.html> [21 Mar 99].

Suffrage is yet another example of how the North Korean citizen's rights are infringed upon. In the D.P.R.K., there is no opportunity to peaceably change the country's leadership. Although elections are held for the Supreme People's Assembly, and to other smaller assemblies, they are not regularly scheduled. Since 1990, elections were held for the only time in July of 1998. According to the regime-controlled media, ninety-nine percent of the eligible voters participated in the elections. They were successful in electing one hundred percent of the candidates that were favored by the Korean Worker's Party.<sup>10</sup> The D.P.R.K. has created some token "minority parties" for propaganda purposes, but the only officials that are listed on the ballot are those of the KWP.<sup>11</sup>

Finally, some of the most atrocious human rights violations occur due to the North Korean judicial and punishment system. The D.P.R.K. has a statute that provides for fair and just trials, yet, in practice, these are normally not carried out. In a North Korean trial, defense lawyers are provided to persuade the defendant to admit guilt, not to represent the defendant against the state.<sup>12</sup>

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<sup>10</sup> Department of State, Bureau of Democracy, Human Rights, and Labor, *Democratic People's Republic of Korea: Country Report on Human Rights Practices for 1998*, (February 1999). Available Online: [http://www.state.gov/www/global/human\\_rights/1998\\_hrp\\_report/](http://www.state.gov/www/global/human_rights/1998_hrp_report/) [03 Oct 99].

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

Punishments in North Korea tend to be very harsh, and by Western standards, often disproportional to the crime committed. Amnesty International reports that between 1970 and 1992, 23 people had been publicly executed for crimes such as “banditry” and “stealing rice from a train.”<sup>13</sup> Though it may be argued whether capital punishment is a violation of human rights, the extent, and circumstances under which it is employed in the D.P.R.K., clearly makes it a violation of human rights.

In North Korea there are believed to be up to 200,000 political prisoners in ten to twelve so-called “reeducation camps” located throughout the country.<sup>14</sup> These camps are believed to house dissidents, or anyone perceived as a threat to regime security. Conditions in these camps are horrible. Prisoners are forced to work extraordinarily long hours and to live in cramped and inhumane conditions. In these “reeducation camps,” prisoners lose their ration privileges and are forced to find food for themselves. This leads to starvation for many of them. Defectors claim that guards constantly beat prisoners and have orders to shoot-to-kill anyone who tries to escape. A North Korean defector, formerly a high-ranking official with the D.P.R.K. Ministry of Public Security, stated that there are two types of

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<sup>13</sup> Amnesty International, *AI Report 1998: Korea (Democratic People's Republic of)*. Available Online: <http://www.amnesty.org/ailib/aireport/ar98/asa24.htm> [21 Mar 99].

<sup>14</sup> Anne Usher, “Escape From the Gulag,” *Far Eastern Economic Review*, (25 November 1999), p. 23.

detention areas in North Korea. One type consists of closed camps, where conditions are very harsh, and prisoners are imprisoned for life. In the other type, prisoners can be “rehabilitated.”<sup>15</sup> Prisons are not only used to hold criminals, but are also used extensively to punish and isolate dissidents that are deemed political threats to the regime.

### C. FACTORS THAT AFFECT THE HUMAN RIGHTS SITUATION

In 1953, Kim Il Sung first introduced the idea of *juche*. Since then, *juche* ideology, along with the “religion” that has evolved from it, has been used by the regime to inflict great pain and suffering on the people of North Korea. The regime uses the *juche* concept to maintain complete control, and to manipulate every aspect of the North Korean citizenry.

The *juche* concept is more easily understood by first learning the definition and secondly, investigating the way that the North Korean regime makes it fit into its propaganda. The word means self-reliance or independence, but the concept has developed into much more.<sup>16</sup> *Juche* was introduced shortly after the Korean War truce was signed. It was developed by Kim Il Sung to help North Korea

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<sup>15</sup> Department of State, Bureau of Democracy, Human Rights, and Labor, *Democratic People's Republic of Korea Country Report on Human Rights Practices for 1998*, (February 1999). Available Online: [http://www.state.gov/www/global/human\\_rights/1998\\_hrp\\_report/](http://www.state.gov/www/global/human_rights/1998_hrp_report/) [03 Oct 99].

<sup>16</sup> Donald Stone Macdonald, *The Koreans: Contemporary Politics and Society* (Boulder: Westview Press, 1990), p. 169.

recover from the devastation it had suffered during the Korean War. While North Korea's Communist allies were drawing back, and minimizing the amount of support that they were giving to North Korea, Kim Il Sung used *juche* to unite the North Korean populace.

The concept has become so important to the D.P.R.K., that in 1992, during a constitutional revision, Marxism-Leninism was replaced by the *juche* ideology.<sup>17</sup> Thus, making it the guiding principle of all of the country's actions.<sup>17</sup>

The irony of the *juche* concept is that the D.P.R.K. has never been "self-reliant," or "independent." Throughout the last fifty years, the D.P.R.K. has relied heavily upon either Soviet, or Chinese aid.

Until 1990 around 60 percent of North Korea's trade was conducted with the Soviet Union (to whom it owed a sizable debt), the Soviet Union continued up to that year to provide significant aid, and was also the source of all high technology armaments (apart from those acquired through the clandestine arms trade).<sup>18</sup>

Only recently, due to Soviet insistence that all trade with the D.P.R.K. be conducted in hard currency, has the North Korean regime been forced to become "self-reliant" economically.<sup>19</sup>

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<sup>17</sup>"A Handbook on North Korea," *Korea Herald*, (20 March 1999). Available Online: <http://www.koreaherald.co.kr/nkbook/nkp.html> [21 Mar 99].

<sup>18</sup>James Cotton, ed., *Korea under Roh Tae-woo: Democratization, Northern Policy and Inter-Korean Relations* (Canberra: Allen & Unwin Pty Ltd, 1993), p. 294.

<sup>19</sup>Ibid.

Over the years, *juche* has evolved into more than just a call for “self-reliance,” it has developed into a religion of sorts. It has been referred to as the “Cult of Kim” or “Kimilsungism.” Numerous human rights infringements can be attributed to the failure of the North Korean citizen to fully appreciate the importance of this concept. When North Korean citizens fail to embrace the tenets of *juche* and refuse to display the required deference toward the North Korean leader, punishments are often severe. All disparaging remarks about the North Korean leader, whether in public, or private are illegal. For instance, North Koreans have been arrested for as little as sitting on newspapers bearing the picture of Kim Il Sung or, for stating that Kim Il Sung had little formal education.<sup>20</sup> This personality cult has carried over from Kim Il Sung, to his son Kim Jong Il, and now to his grandson, Kim Jong Nam.<sup>21</sup>

Ironically, both the North Korean constitution and the *juche* doctrine afford many of the same freedoms that Westerners feel are important and should be afforded to every individual. The Regime’s rhetoric closely resembles Western thoughts and concepts concerning human rights. The major difference in North

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<sup>20</sup> Department of State, Bureau of Democracy, Human Rights, and Labor, *Democratic People's Republic of Korea Country Report on Human Rights Practices for 1998*, (February 1999). Available Online: [http://www.state.gov/www/global/human\\_rights/1998\\_hrp\\_report/](http://www.state.gov/www/global/human_rights/1998_hrp_report/) [03 Oct 99].

<sup>21</sup> “Regional Briefing: North Korea,” *Far East Economic Review* 162, No. 46 (18 November 1999), p. 15.

Korea is that these freedoms are provided to the masses, not to the individual. In North Korean thought, *juche* refers to the independence of people as a collective unit. An individual's independence relies on total obedience to the leader and the Party.<sup>22</sup> The freedoms delineated in *juche* and the constitution are not individual rights.

Ostensibly the constitution is the governing document in North Korea, however it is subordinate to the “10-point Principle for Solidifying the Party’s Monolithic Ideological System.”<sup>23</sup> The 10-point system provides the guidelines that govern the North Korean citizen.

The 10-point principle is as follows:

1. All society must be dyed with Kim Il-Sung’s revolutionary ideology,
2. Kim Il-Sung must be upheld with unswerving loyalty,
3. Kim Il-Sung’s authority must be made absolute,
4. Kim Il-Sung’s revolutionary thought must be regarded as the people’s belief, and his instructions as their creed,
5. The principle of unconditional loyalty must be observed in carrying out Kim Il-Sung’s instructions,

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<sup>22</sup>Donald Stone Macdonald, *The Koreans: Contemporary Politics and Society* (Boulder: Westview Press, 1990), p. 171.

<sup>23</sup>“A Handbook on North Korea,” *Korea Herald*, (20 March 1999). Available Online: <http://www.koreaherald.co.kr/nkbook/nksc.html> [21 Mar 99].

6. The Party's ideological unity and revolutionary solidarity, with Kim Il-Sung at the center, must be strengthened,
7. Party members must emulate Kim Il-Sung and equip themselves with the same communist personality and revolutionary working methods as he has,
8. Party members must keep the political life given to them by Kim Il-Sung and return his political confidence in them with loyalty,
9. The entire Party, nation and armed forces must establish strict discipline to behave uniformly under the monolithic leadership of Kim Il-Sung, and
10. The revolutionary task initiated by Kim Il-Sung must be inherited and perfected generation after generation.<sup>24</sup>

After examining the “10 point Principle” it becomes apparent that the constitution is merely a propaganda tool and that individual freedoms are not provided to North Korean citizens.

Another method of control involves the KWP and the influence that it exerts over the North Korean people. North Korean citizens are constantly exposed to Party propaganda. The role of party officials is not to represent the people, but to disseminate Party propaganda.<sup>25</sup> The Party also maintains a highly organized classification system. The classification system places the North Korean citizen into one of three classes. The “Core Class” is made up of twenty-eight percent of

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<sup>24</sup>Ibid.

the total population and encompasses those that are totally loyal to the Workers' Party. The "Unstable Class" is made up of forty-five percent of the total population and its members are the normal workers. The final class is the "Hostile Class." This class accounts for twenty-seven percent of the population and is comprised of dissidents and family members of defectors.<sup>26</sup> The classification system also enables the state or party to regulate food, clothing, and housing, and to punish by withholding necessities when citizens defy the leadership. Thus, "when the people experience a serious shortage of food, clothing and housing, the party or the state becomes more powerful while beneficiaries become more obedient to secure needed goods."<sup>27</sup> Therefore, the regime is able to maintain the loyalty and obedience of its citizens through the use of fear and deprivation.

The food shortage of the last decade has placed added pressure on the North Korean regime, and threatened its ability to control its population. The actual numbers are widely disputed, but Hwang Jang-Yop, a defector and former high-ranking North Korean official, stated that more than three million deaths can be

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<sup>25</sup> Donald Stone Macdonald, *The Koreans: Contemporary Politics and Society* (Boulder: Westview Press, 1990), pp. 171-172.

<sup>26</sup> "A Handbook on North Korea," *Korea Herald*, (20 March 1999). Available Online: <http://www.koreaherald.co.kr/nkbook/nkp.html> [21 Mar 99].

<sup>27</sup> Sung-Chul Choi, ed., *Understanding Human Rights in North Korea* (Seoul: Center for the Advancement of North Korean Human Rights, 1997), p. 163.

attributed to the recent famines.<sup>28</sup> The shortage of food has caused a failure of the North Korean rationing system, eliminating one of the basic rights of the individual.

However well intentioned Kim Il Sung's ideas might have been with respect to North Korea, it is evident that the regime is failing to provide even the basic needs of its citizens. The concept of *juche*, and its goal of "self reliance," has left the people of North Korea starving. "Cult of Kim" and "Kimilsungism" have done an excellent job of building a strong regime, while at the same time forcing the masses to endure great hardships. The KWP and its class structure have done a magnificent job of maintaining order, using fear and deprivation, to control the people. Even during periods of severe food shortages, the regime has maintained unwavering control, and there has been no overt social unrest or revolt.<sup>29</sup>

#### D. ROY'S THEORY

In North Korea, an adversarial relationship between human rights and national security exists. Human rights can be separated into two categories:

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<sup>28</sup> Lim Yun-Suk, "North Korea Denounces Claims that Three Million Died of Famine," *Agence France-Presse* (15 March 1999). Available Online: <http://wwwnotes.reliefweb.int/f.../59FAFE4A91CC32B205256735005DD0CB?OpenDocument> [10 Nov 99].

<sup>29</sup> Byoung-lo Kim, "The Social Impact of the North Korean Food Crisis," *Naewoe Press Studies* (December 1998). Available Online: <http://www.koreaherald.co.kr/nknews/nk1298/nk12mst1.html> [21 Mar 99].

“socio-economic” and “civil-political.” In the case of North Korea, human rights as a combination of the two will be examined.

Denny Roy, professor of Asian Studies at the Naval Postgraduate School, argues that several variables affect the relationship between human rights and national security in Asian states: the role Western imperialism has played in the state’s past; the intensity of perceived internal security threats; the degree of external military vulnerability; the presence or absence of an authoritarian political system; and the attitude of the state toward Western culture.<sup>30</sup>

In North Korea’s case, the first variable, “Western imperialism,” does not play any role in the relationship between human rights and national security in North Korea. With Korea having been originally ruled by China, and then occupied by Japan until World War II, there has been little opportunity for “Western imperialism.”<sup>31</sup>

Additionally, the “Western culture” variable can be disregarded. Although the threat of Western culture infiltrating North Korean society is a real one, at the present time North Korea is such a secretive society, and under such tight

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<sup>30</sup>Denny Roy, “Human Rights and National Security in East Asia,” *Issues and Studies* 35, No. 2 (March/April 1999), p. 132.

<sup>31</sup>Though U.S. imperialism in North Korea has never occurred, the DPRK still perceives this possibility as a very real threat.

restrictions by the regime, no Western elements have been able to establish a hold in North Korea.

However, as discussed previously, this could potentially change in the near future. It will be almost impossible for the North Korean government to be able to restrict all Western cultural exchanges, and at the same time accept economic assistance. The regime will be unable to prevent Western influence from reaching the citizens of North Korea, which could possibly lead the regime to prohibit any outside groups from visiting the country, even though the assistance is greatly needed.

The last three variables in the Roy Theory are the primary contributors to the adversarial relationship of human rights and national security in North Korea. The first is internal threats. One of the primary goals of the regime is to eliminate any possibility of an internal threat affecting its ability to control the masses. The Kim Il Sung, and now Kim Jong Il regime, has placed great emphasis on controlling any uprisings or dissent that might develop in the country. They have accomplished this very well in the past by using some of the techniques that have been discussed previously, such as the forced belief in the doctrine of *juche*, and the “Cult of Kim.”

External military vulnerability is another important variable in the relationship between human rights and national security in North Korea. The D.P.R.K.

regime uses the perceived military threat of countries such as the U.S. and R.O.K. to suppress human rights. The North Korean citizens are constantly reminded of the threat of the outside and the memories of the Korean War to control the population.

The threat of external military aggression is used by the regime as justification to spend twenty-five percent of its budget on defense measures while thousands of citizens are starving. In a comment made to his aides, referring to the exorbitant amount of money the regime had spent on the recent launching of a missile, Kim Jong Il stated, "I know our people cannot eat properly or live well, as other peoples do. But I allowed the use of the money to ensure the dignity of the country and the nation, to safeguard our fate, and to build a powerful state."<sup>32</sup> The external military threat is perceived to be so formidable that it unites the populace in support of the regime, thereby diminishing internal resistance.

The regime maintains that outside countries, especially South Korea, are much worse off, and that North Korean citizens should fear that the South will attempt to take what rightfully belongs to the DPRK.

Roy's final variable is an authoritarian political system. This variable is the catalyst behind all human rights suppression in the country. The previous two

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<sup>32</sup>The Chosun Ilbo, "A North Korea that Calls South Korea 'Enemy,'" *Korea Focus: on Current Topics* 7, No. 3. (May-June 1999), p. 110.

variables “internal threat” and “external military vulnerability” are used by the authoritarian government to maintain regime security. As discussed previously, state security in North Korea is tantamount to regime security. In other words, the state can only survive as long as the regime can maintain its power. Both Kim Il Sung and Kim Jong Il have used the other two variables to maintain regime security, and thus, a strong authoritarian government. Therefore, human rights in North Korea are sacrificed by the regime not for national security, but for regime security.

#### **E. CONCLUSION**

There are many factors that influence the human rights climate in North Korea. The natural disasters and collapse of the Soviet Union have caused the economic situation in North Korea to become much more severe than ever before. In the past, the regime has been able to maintain an ironhanded grip on its people and total control of dissenters, demanding total loyalty and devotion to both the leader and the Party. While maintaining this control, the regime has been forced to eliminate all individual freedoms that are vital to every human being. The suppression of human rights in North Korea is directly linked to regime security. The regime realizes that without this ultimate control, their security would be threatened.

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### **III. HUMAN RIGHTS IN U.S./R.O.K./D.P.R.K. FOREIGN POLICY**

#### **A. INTRODUCTION**

Theoretically, all United Nations members have accepted the ideas written in the Universal Declaration of Human Rights and have promised to honor their existence. Included in this group of countries is the United States, Republic of Korea, and Democratic People's Republic of Korea. Although each of these countries have vowed to uphold the Declaration, in practice the degree to which this takes place varies greatly depending on how each country defines the meaning of "human rights."

The United Nations version of human rights as described in the UN Charter and the Declaration stresses that an individual deserves rights simply because as a human, he or she, shares the same attributes that make them worthy of respect.<sup>33</sup> Thus, all humans should be afforded the rights and freedoms as listed in the Declaration. However, often the concept and understanding of human rights is interpreted very differently throughout the world.

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<sup>33</sup>Christine Koggel, *Moral Issues in Global Perspective* (Ontario: Broadview Press, Ltd., 1999), p. 3.

## B. DEFINING HUMAN RIGHTS

While the United Nations definition of human rights focuses on the individual, and the concomitant rights, the D.P.R.K. concept is much different. North Korea maintains that collectivism is more important than individualism.<sup>34</sup> In the 1992 revision of the D.P.R.K. constitution, article 63 states that “the rights and duties of citizens are based on the collectivist principle, One for all and all for one.”<sup>35</sup>

Furthermore, the contradiction between what is provided in writing to the people of North Korea, and what in reality is granted, can be seen in the D.P.R.K. constitution. The constitution provides many of the same rights that the U.S. constitution does. For example, article 67 guarantees the freedom of speech, press, assembly, demonstration and association. Article 68 guarantees the freedom of religion. Article 75 grants the right to travel free of government restriction.<sup>36</sup> These are just a few of the rights that, even though they are written in the constitution, are not actually afforded to North Korean population.

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<sup>34</sup> In-Young Chun, “The Reality of Human-Rights in North Korea,” in Sung-Chul Choi, ed., *Understanding Human Rights in North Korea*, (Seoul: Center for the Advancement of North Korean Human Rights, 1997), p. 120.

<sup>35</sup> *The DPRK Constitution*. Available Online: [http://www.korea-np.co.jp/pk/061st\\_issue/98091708.htm](http://www.korea-np.co.jp/pk/061st_issue/98091708.htm) [04 Aug 99].

<sup>36</sup> Ibid.

On a human rights spectrum, the R.O.K.'s definition falls in between those of the U.S. and the D.P.R.K. Although the R.O.K. is committed to the United Nations human rights policy, there are still some issues that attract enormous attention from human rights activists. The R.O.K. is a democracy that is striving to follow the United Nations human rights policy, but to date has not fully succeeded. Even today, laws are still enforced that are considered to be highly controversial, and against some of the stated articles of the Declaration. This will be addressed in depth when the foreign policies of the U.S./R.O.K./D.P.R.K. are examined.

### **C. HUMAN RIGHTS IN FOREIGN POLICY**

The differing opinions and level of importance that each country places on human rights plays a major role in how each of these countries factors human rights issues into its own foreign policy. The ability or inability of a country to enforce or hold another country accountable for human rights infringements is another limiting factor in the incorporation of human rights into foreign policy.

Although the U.S. incorporates human rights issues into official foreign policy statements with regard to the D.P.R.K., the attention that is given to these issues in negotiations is minimal, if existent at all. The actual U.S. human rights record with respect to the D.P.R.K. has been very weak. Currently, U.S. foreign

policy towards the D.P.R.K. is focused entirely on curtailing its perceived military threat, and not on improving the human rights conditions.

Only recently has the U.S. government given any attention to the human rights conditions in the D.P.R.K. For instance, on April 22, 1999, the U.S. Senate Foreign Relations Committee's Subcommittee on East Asian and Pacific Affairs held its first congressional hearing on the subject.<sup>37</sup> Senator Craig Thomas, Chairman, Subcommittee on East Asian and Pacific Affairs says that "while a great deal of Congress and this subcommittee's attention has been focused on North Korea in the last five years, almost all of that attention has dealt with the D.P.R.K.'s nuclear and missile programs. There has been very little, if any, discussion of North Korea's atrocious human rights record."<sup>38</sup>

One major aspect that must be considered when addressing the lack of attention that has been given to the human rights situation in the D.P.R.K. is the fact that the United States has not attempted to fold human rights issues into any sort of plausible policy with respect to the D.P.R.K. The unyielding and secretive nature of the Kim Jong Il regime makes negotiations with the D.P.R.K. very difficult. For this reason, it seems that the United States has chosen to focus on

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<sup>37</sup>"North Korea: An Oppressive Regime?" *Life and Human Rights*, No. 12 (Summer 1999). Available Online: [http://www.nkhumanrights.or.kr/eng/life/life99su02\\_01.html](http://www.nkhumanrights.or.kr/eng/life/life99su02_01.html).

<sup>38</sup>Ibid.

security issues before attempting to introduce any kind of human rights initiatives. Therefore, U.S. policy has shifted to “limited engagement,” which some may call an appeasement policy, where the United States is “hard line” on nuclear and missile issues that pertain to the Agreed Framework and much “softer” when it comes to human rights issues. The United States has even begun to reward the D.P.R.K. when it complies with the provisions of the Agreed Framework. In 1995, North Korea froze its nuclear program in compliance with the Agreed Framework. In response to this nuclear freeze, the United States immediately relaxed economic sanctions by authorizing

U.S. companies to provide direct telecommunications services between the U.S. and D.P.R.K., to allow the import of magnesite from the D.P.R.K., to reduce the restrictions on financial transactions not involving the D.P.R.K. government or its entities, and to authorize the licensing of U.S. business transactions that further KEDO’s construction of lightwater reactors in the D.P.R.K.<sup>39</sup>

The obvious priority that the United States has placed on the Agreed Framework, coupled with the difficulty of negotiating with the D.P.R.K., has made it virtually impossible for the United States to make any attempts at improving the North Korean human rights conditions through its foreign policy. Human rights is

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<sup>39</sup> Chuck Downs, *Over the Line: North Korea's Negotiating Strategy* (Washington D.C.: The American Enterprise Institute Press, 1999), p. 261.

a back-burner issue in any high level dialogues between the United States and the D.P.R.K.

With respect to the R.O.K., U.S. foreign policy again fails to address the human rights violations that occur in the country. Even though the human rights situation in the R.O.K. is many times better than that in the D.P.R.K., there are still problems that must be addressed. With the exception of President Carter, policymakers and U.S. presidents often overlook the human rights infringements that take place in the R.O.K., and tend to focus more attention on the promotion of democracy and economic development.

With initial pressure from Carter, and later the Reagan administration, the R.O.K. was forced to focus more attention on human rights issues. The success that the R.O.K. has achieved over its northern neighbor is still marred, however, by its inability or reluctance to eliminate laws and practices that continue to infringe on human rights. These laws are aimed at countering the perceived military threat of the D.P.R.K.

Following the Korean War Armistice, the Republic of Korea has flourished. With the aid of the United States the Republic of Korea has been able to transition to a democratic form of government. The president is directly elected and a unicameral national legislature is selected by both direct and proportional voting. This being said:

Significant elements of the traditional pattern survive beneath an overlay of Western institutional forms. Family, associational, group, and factional loyalties still outweigh civic consciousness. Informal group networks, such as school and college alumni associations (notably the successive graduating classes of the Korea Military Academy), or shared provincial origins, are powerful channels of communication and influence. The sense of abstract justice and universal human rights is weak in comparison to group loyalties and duties.<sup>40</sup>

In other words, the South Koreans are continually struggling to develop a fully functional democracy that can handle the many pressures placed upon it by both its own people, and its northern neighbors. While the R.O.K. proclaims to grasp the Western concept of human rights, it still struggles with full implementation. For instance, the use or threat of the National Security Law (NSL) continues to restrict citizens' civil rights, especially the right to free expression.<sup>41</sup> Although President Kim Dae Jung has promised to revise the NSL, movement toward reform has been very slow.<sup>42</sup>

As with the D.P.R.K., the R.O.K. constitution also provides the freedoms of speech, press, religion, peaceful assembly, association, and movement. However,

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<sup>40</sup> Donald Stone Macdonald, *The Koreans: Contemporary Politics and Society* (Boulder: Westview Press, 1990), p. 119.

<sup>41</sup> Department of State, Bureau of Democracy, Human Rights, and Labor, *Republic of Korea Country Report on Human Rights Practices for 1998*, (February 1999). Available Online: [http://www.state.gov/www/global/human\\_rights/1998\\_hrp\\_report/](http://www.state.gov/www/global/human_rights/1998_hrp_report/) [03 Oct 99].

<sup>42</sup> Due in large part to his imprisonment and infringements upon his own human rights by political opponents, President Kim Dae Jung has attempted to implement many more human rights reforms than past R.O.K. leaders.

unlike their counterparts in the D.P.R.K., the South Koreans are able to hold jobs, make and spend money free of government control, and are also free of the political machine that makes life in the North so difficult. Normally, South Koreans are able to move about freely. There is one exception, however. South Korean travel to the D.P.R.K. is very limited due to the perceived high security threat. Travel to the D.P.R.K. is allowed only with government approval. The trip must not have a political purpose, either to discredit the South or to aid the North.<sup>43</sup> If these conditions are not met, the traveler will be arrested upon return to South Korea. For example, in 1996, novelist Kim Ha Ki traveled to the North. In 1997, he was sentenced to three years in prison. The court found that he had revealed state secrets to North Korean authorities.<sup>44</sup> For the most part, however, the movement of people within the R.O.K. is unrestricted, unlike in the D.P.R.K.

Although freedom of speech and press is afforded by the R.O.K. constitution, it is restricted in practice. Even though the direct control of the media by the Government has been discontinued, there are still two large factors that give it indirect control.

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<sup>43</sup> Department of State, Bureau of Democracy, Human Rights, and Labor, *Republic of Korea Country Report on Human Rights Practices for 1998*, (February 1999). Available Online: [http://www.state.gov/www/global/human\\_rights/1998\\_hrp\\_report/](http://www.state.gov/www/global/human_rights/1998_hrp_report/) [03 Oct 99].

<sup>44</sup> Ibid.

The first is the National Security Law. The NSL allows the R.O.K. government to limit its citizens' freedom of speech concerning anything deemed by the authorities to be sympathetic to Communism or the D.P.R.K. In reality, it has been used widely as a tool to quell dissension and unrest of its own citizens.<sup>45</sup>

According to Amnesty International,

[the NSL] has been widely misused to detain people who posed no threat to security... To remove people who pose a threat to established political views, to prevent people from taking part in discussions surrounding relations with North Korea and as a form of control at times of social unrest.<sup>46</sup>

The National Security Law has been called into question by numerous governments and human rights organizations around the world. The R.O.K. has been slow to reform the NSL due to the perceived threat of the D.P.R.K., and because the NSL has been a convenient tool for government officials in discouraging political dissent in South Korea.

The second controlling factor is that a large majority of R.O.K. journalists wish to pursue a political career in the future. Normally, they soften their criticism of the R.O.K. government in an effort to stay in good standing with the leadership. Although the government's crackdown on corruption has slowed the payments

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<sup>45</sup>Ibid.

being made to reporters by government officials, it has not been able to eliminate them.<sup>47</sup> With this control, journalists tend to practice self-censorship and to eliminate many of the opinions of the protesters that otherwise could bring discredit upon the leadership.

In contrast to the D.P.R.K., the R.O.K. is very receptive to critiques of its human rights practices. For this reason there are many NGOs that keep a close eye on events in South Korea. These organizations are working very hard to eliminate the National Security Law and to improve the human rights conditions in the R.O.K.

The R.O.K.'s position of "peaceful coexistence" and its own history of human rights, make it clear why very little is said with respect to the human rights conditions in the D.P.R.K. With the R.O.K.'s record of recent human rights infringements, it is in no position and even less inclined, to include any kind of human rights agenda in its policy towards the D.P.R.K. Instead R.O.K. policy focuses on "economic integration" and "peaceful coexistence," avoiding any issues that might embarrass the D.P.R.K. or even cause conflict. Even though the R.O.K.

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<sup>46</sup> Amnesty International, *AI Report 1999: Republic of Korea (South Korea) Time to Reform the National Security Law* (February 1999). Available Online: <http://www.amnesty.org/ailib/aipub/1999/asa25.htm> [21 Mar 99].

<sup>47</sup> Department of State, Country Reports on Human Rights Practices for 1994. (Washington D.C.: U.S Government Printing Office, 1995), pp. 624-625.

is very cooperative with NGOs on human rights issues within its own country, it believes that human rights conditions in the D.P.R.K. are an issue that should be addressed by the D.P.R.K. government, and not by any R.O.K. policy. With the exception of humanitarian aid, human rights issues have very little to do with R.O.K. policy towards the D.P.R.K. An example of this can be seen when one examines Kim Dae-Jung's Sunshine Policy. In none of the stated eleven points of this policy does Kim Dae-Jung address the human rights conditions in North Korea.<sup>48</sup>

North Korea looks at human rights in a much different fashion than the rest of the world. In the D.P.R.K. human rights are considered to be a domestic issue and not one to be addressed by the international community. The D.P.R.K. view of human rights can be summarized as follows:

1. Human rights are only guaranteed under a Socialist society.<sup>49</sup>
2. People in North Korea are free from unhappiness and difficulties; therefore human rights problems don't exist in the D.P.R.K.<sup>50</sup>

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<sup>48</sup>"President Kim Dae-Jung's Policies on North Korea," Korean Embassy, Washington D.C., Available Online: <http://www.koreaemb.org/new/policy/Unification.htm>[30 Jul 99].

<sup>49</sup> Kim Jong-Il, Our Socialism With the Emphasis in the Public is the True Victory, The Chosun Rodong Party Publishing Company, *Dear Leader Jong-Il Kim's Writings Collection* (The Chosun Rodong Party Publishing Company, 1920), pp. 350-351; Quoted in Choong-Hyun Paek, "A Survey of Human Rights in North Korea," in Sung-Chul Choi, ed., *Understanding Human Rights in North Korea*, (Seoul: Center for the Advancement of North Korea Human Rights, 1997), pp. 338-339.

<sup>50</sup> Choong-Hyun Paek, "A Survey of Human Rights in North Korea," in Sung-Chul Choi, ed., *Understanding Human Rights in North Korea*, (Seoul: Center for the Advancement of North Korean Human Rights, 1997) p. 339.

3. Similar to the “Asian Values” argument, interpretation of human-rights should vary according to the political, historical, and geographical characteristics of the country.<sup>51</sup>
4. Human rights are a purely domestic problem and should not be used by the West for political purposes.<sup>52</sup>
5. North Korea feels that any improvement in the human rights conditions in the country would overturn their socialist system of government.<sup>53</sup>

One can understand why the D.P.R.K. is unwilling to allow outside government representatives or NGOs into their country. The ideas listed above make it apparent why the D.P.R.K. views human rights as issues that should not be addressed in foreign policy. The D.P.R.K. leadership is afraid that it would lose control of its population if human rights were a topic that could be addressed or criticized by outsiders. One can take this a step further and say that it is evident that “basic rights violations do not occur by accident or under isolated special circumstances. The leadership purposely, systematically and continuously

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<sup>51</sup> Department of Foreign Affairs International Institutions Bureau, *Universal Human Rights Convention Participation Reports* (1993. 6.14~6.25 Vienna), (Department of Foreign Affairs, 1938), Referenced North Korean Representative, Paek In-Joon’s Speech as presented in pp.131~138; Quoted in Choong-Hyun Paek, “A Survey of Human Rights in North Korea,” in Sung-Chul Choi, ed., *Understanding Human Rights in North Korea*, (Seoul: Center for the Advancement of North Korean Human Rights, 1997), p. 339.

<sup>52</sup> Choong-Hyun Paek, “A Survey of Human Rights in North Korea,” in Sung-Chul Choi, ed., *Understanding Human Rights in North Korea*, (Seoul: Center for the Advancement of North Korean Human Rights, 1997), pp. 339-340.

<sup>53</sup> Ibid.

infringes on human rights to sustain their system and power.”<sup>54</sup> In order to maintain legitimacy, the regime relies on total subordination of its citizens. If the tight restrictions were eased, Western influences could cause havoc amongst the population.

Ironically, while the D.P.R.K. attests that human rights are a domestic problem, and not an issue to be addressed by anyone outside of the D.P.R.K., the ruling party’s newspaper, *Rodong Shinmun*, reports extensively on foreign, and particularly, South Korean human rights problems.<sup>55</sup> For instance, the D.P.R.K. press (government) is highly critical of the R.O.K. NSL.

Even though the D.P.R.K. officially says that human rights are an issue to be handled domestically, the press is used to incorporate human rights issues into D.P.R.K. policy regarding other countries. And while D.P.R.K. proclaims that human rights issues should not be used in foreign relations, the D.P.R.K. is guilty of using human rights issues to both criticize other countries, and at the same time profess to their own people that human rights infringements only occur outside of the D.P.R.K.

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<sup>54</sup> In-Young Chun, “The Reality of Human-Rights in North Korea,” in Sung-Chul Choi, ed., *Understanding Human Rights in North Korea*, (Seoul: Center for the Advancement of North Korean Human Rights, 1997), p. 125.

#### **D. CONCLUSION**

Even though it is evident that the human rights situation in the D.P.R.K. is atrocious and that severe violations are occurring continually, human rights have not played a significant role of any country's foreign policy towards the D.P.R.K. The focus of the United States, South Korea, and Japan is primarily on the perceived military threat of the D.P.R.K. Therefore, human rights issues have not been an important factor in the effort to establish peace on the Korean peninsula.

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<sup>55</sup> Jae-Chun Yoo, "The North Korean Press and the Reporting of Human Rights," in Sung-Chul Choi, ed., *Understanding Human Rights in North Korea*, (Seoul: Center for the Advancement of North Korean Human Rights, 1997), p. 247.

## **IV. HUMAN RIGHTS POLICY OPTIONS**

### **A. INTRODUCTION**

Given the fact that U.S. foreign policy with regard to North Korea is centered on the Agreed Framework, and that the stated goal is to promote “peace and stability” on the Korean peninsula, is it possible or even beneficial to link human rights issues to the current U.S. policy? Arguably, there are several possible strategies that might be incorporated to improve human rights in North Korea. This thesis examines three of the more common options. The first option separates human rights issues from foreign policy. With this option, U.S. foreign policy focuses solely on security and economic issues, leaving the human rights agenda to NGOs, or possibly a separate government agency. The second option tightly links human rights issues to all aspects of negotiations between two countries. Foreign policy is “hard lined” and nonnegotiable concerning human rights issues. Finally, the third option loosely connects human rights to foreign policy. No stipulations or requirements are attached to human rights initiatives when dealing with another country.

### **B. OPTIONS**

In the first option, human rights remain separate from U.S. foreign policy. Foreign policy focuses solely on national security and economic issues, while an

independent government agency or NGO would address human rights issues. No U.S. aid, whether military or economic, is based on the human rights conditions in a country. Thus, giving each agency the ability to focus on its own agenda, and presumably making both issues stronger.

Although this type of policy appears to show a disregard for human rights, that is actually not the case. Theoretically, human rights issues would be addressed by an agency that was more objective, and capable of addressing human rights violations without the provocative spectacle of the U.S. government apparently infringing upon the sovereignty of other states.<sup>56</sup> Thus eliminating the complaint that the United States is using human rights to overthrow or embarrass another country. This is especially important concerning countries like North Korea, who feel that human rights are a domestic issue and not to be addressed by outsiders.

Edward Olsen, Professor of Asian Studies at the Naval Postgraduate School, stated, during the formative phase of the Reagan administration's attempt to address moral issues in U.S. foreign policy, that,

By not trying to use political or economic leverage to compel change in countries that violate such standards (U.S. ideals of human rights), the U.S. frees itself from two liabilities. First, it will not aggravate

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<sup>56</sup> Edward A. Olsen, "How to Keep Human Rights Alive," in Howard J. Wiarda, ed., *Human Rights and U.S. Human Rights Policy: Theoretical Approaches and Some Perspectives on Latin America*, (Washington D.C: American Enterprise Institute for Public Policy Research, 1982), p. 95.

instability in its client states.... [And] Second, the U.S. would not have to contend with guilty states flaunting their violations in the face of its human rights-burdened foreign policy, clearly exposing U.S. inability to effect change.<sup>57</sup>

In other words, this option would enable U.S. foreign policy to address security and economic issues, without being bogged down by what historically has been an unenforceable human rights agenda.

The second option is completely opposite. This concept links human rights to every aspect of foreign policy. Sidney Jones mentions a few ideas that represent this type of policy well: “It (human rights policy) should be rooted in the international framework for protection of human rights and be justified as much as possible in terms of international law rather than American values.” She goes on to say “it (human rights policy) should pay increasing attention to human rights and development issues, ensuring that political-civil and social-economic rights are treated as indivisible; and bilateral and multilateral aid, trade, and lending policies are consistent with human rights principles.” Her policy recommendations also encourage condemnation, both public and private, for human rights abuses of another country.<sup>58</sup>

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<sup>57</sup>Ibid.

<sup>58</sup>Sidney Jones, “‘Asian’ Human Rights, Economic Growth, and United States Policy,” *Current History* 95, No. 605 (December 1996), pp. 426-427.

This type of policy is often backed by NGOs, which deal solely with human rights issues. Unlike U.S. foreign policymakers, these agencies do not have to address the security, or economic issues of a nation.

Option two focuses on relatively “quick fixes.” The goal of this type of policy is to effect change immediately, with no concern for what further implications might arise. Often this type of policy is effective when dealing with a specific human rights infringement, in contrast to the attempt at changing the overall human rights climate of a country.

The third option loosely connects human rights issues with foreign policy. With this option human rights issues would not be tied directly to other policy issues such as humanitarian aid or economic assistance. Security issues would be handled separately. Human rights issues would always be included in official foreign policy statements, but no pressure on these subjects would be initiated during high level talks. Since many Asian countries feel that human rights are a domestic issue, and feel that attempts by an outsider to intervene is a threat to the regime’s sovereignty, these issues will primarily be discussed in private.

In contrast to the second option, this idea stresses that long-term human rights improvement is better than any short-term gain that could be accomplished by a tough “in your face” approach. In order for the human rights conditions to change in a country the leadership must understand, and truly believe in the

“universality” of human rights. With the “in your face” approach the decision to make changes to human rights policy is often in response to pressure from outside sources. Once this pressure subsides there is often no reason for the violator to remain dedicated to the human rights changes that were imposed upon it.

In addition, this option encourages long-term dialogue between two countries, and improved relations for longer periods of time. It reduces the risk of confrontation that might occur between two countries concerning human rights issues, and allows for improvements in human rights conditions (albeit sometimes minor) in countries where otherwise the United States would have no ability to effect change.

### **C. CONCLUSION**

With the stated goal of “peace and stability” on the Korean peninsula, the United States must develop an effective foreign policy with regard to North Korea. Presently, U.S. policy focuses exclusively on the Agreed Framework and the perceived military threat of the D.P.R.K., while paying little attention to human rights conditions.

Although it appears that the regime has complete and total control over the population, the possibility still exists for instability in the country. One of the major factors that could lead to this instability is the human rights condition in

North Korea. If the citizens of the D.P.R.K. were to realize that the pain and hardship they have endured at the hands of the North Korean regime was not necessarily for state security, but rather regime security, the chances for violence are very high. This violence would more than likely spill over North Korean borders into both China and South Korea causing disruption in the region.

In an effort to address these conditions and prevent unrest or violence in North Korea, and ultimately in the region, the United States must reevaluate its human rights policy and identify the best course of action in which to proceed.

The three options discussed previously are just a few of the possibilities from which to choose. Each has both benefits and drawbacks associated with it. The United States must commit to one of these policy options and implement it accordingly.

## **V. POLICY RECOMMENDATIONS**

### **A. INTRODUCTION**

The North Korean regime is very sensitive to outside pressure, especially concerning its human rights conditions. The D.P.R.K., not unlike many other Third World countries, feels that attempts by foreign governments to impose their ideals upon its country, are attempts to overthrow the North Korean political system. Therefore, North Korea is not receptive to U.S. efforts to improve its human rights conditions.

At the same time, if the United States were to completely disregard human rights in foreign policy regarding the D.P.R.K., it would give the appearance that the United States is uninterested in promoting change in the human rights conditions of North Korea, giving Pyongyang even less impetus to improve its human rights record.

Therefore, the United States must develop a foreign policy towards North Korea that accomplishes both of these objectives: it needs to be strong enough to effect change, while at the same time not appear to be a threat to the security of the North Korean regime.

## **B. RECOMMENDATIONS**

In an effort to improve the human rights conditions in North Korea, while at the same time ensuring the security of our allies in the region, the United States should implement a policy that loosely ties human rights to other foreign policy issues.

First, this allows the United States to maintain its position on the importance of “universal human rights.” Secondly, it prevents unnecessary confrontation with the D.P.R.K. concerning the United States imposing its rigid standards of human rights upon the North Korean regime. Thirdly, it allows the United States to give humanitarian aid without conditions being attached. Finally, loosely tying human rights to foreign policy will hopefully lead to better relations over the long term, and a lasting improvement in the human rights conditions in North Korea.

Continuing to include human rights issues in all U.S. bilateral relationships shows the international community that the United States is still a supporter of “universal human rights.” It allows for the inclusion of human rights when and where successful achievement is feasible, but does not handcuff U.S. policymakers by requiring them to tie human rights to all policy issues.

The North Korean regime feels that any efforts by the United States to address or improve the human rights conditions in the D.P.R.K., are an attempt to

overthrow its government. Therefore, by placing human rights on the "back-burner" of U.S. foreign policy, the North Korean regime is more likely to engage in negotiations over security and economic issues.

Another important aspect of this type of policy has to do with humanitarian aid. Loosely tying human rights issues to foreign policy allows the United States to give the D.P.R.K. much needed aid, without any strings attached. The North Korean regime is not required to do anything in exchange for this aid.

The last benefit of this type of policy is that it promotes long-lasting change. Over the long term, improved relations between the United States and the D.P.R.K. will be much more conducive to the improvement of the human rights conditions in North Korea.

Presently, the two countries do not trust each other. Once this trust is established, human rights dialogue can be introduced without the D.P.R.K. regime feeling threatened. Improved relations with the United States will create incentives for the North Korean regime to improve human rights conditions on its own terms.

### **C. CONCLUSION**

The Korean peninsula remains divided after fifty years of bitter dispute between the D.P.R.K. to the north and the R.O.K. in the south. While the R.O.K.

has flourished both economically and politically, the D.P.R.K. has steadily faltered. The socialist system of the D.P.R.K. has failed miserably at providing even the bare necessities for its citizens. The collapse of the Soviet Union, mismanagement and inefficiency of the regime, and the recent famines have left thousands of North Koreans dead. Throughout this period the regime has been able to maintain its control by imposing harsh restrictions upon its citizens and demanding unwavering obedience to its rule. In the process they have become one of the worst violators of human rights in the world.

Current U.S. foreign policy focuses primarily on the Agreed Framework and the military threat that the D.P.R.K. poses in the region. Though this is an important topic deserving of U.S. policymakers' attention, it is not the only threat to stability in the East Asia region. The possibility of violent political protest in North Korea is very real. The severe human rights conditions in the D.P.R.K could potentially be one of the most destabilizing factors on the peninsula. With this in mind, it is vital for U.S. foreign policymakers to implement a foreign policy that incorporates a viable human rights initiative.

## BIBLIOGRAPHY

### BOOKS

Downs, Chuck. "Over the Line: North Korea's Negotiating Strategy." Washington D.C.: The American Enterprise Institute Press, 1999.

"Human Rights and U.S. Human Rights Policy: Theoretical Approaches and Some Perspectives on Latin America." Howard J. Wiarda ed. Washington D.C: American Enterprise Institute for Public Policy Research, 1982.

Kim Il Sung. "The Selection of Kim Il Sung's Works 1." Pyongyang: North Korean Workers' Party Press, 1967.

Kim Jong Il. "Kim Jong Il: Accomplishing Juche Revolutionary Cause 1." Pyongyang: Foreign Languages Publishing House, 1990.

Koggel, Christine. " Moral Issues in Global Perspective." Ontario: Broadview Press, Ltd., 1999

"Korea under Roh Tae-woo: Democratization, Northern Policy and Inter-Korean Relations." James Cotton ed. Canberra: Allen & Unwin Pty Ltd, 1993.

Macdonald, Donald Stone. "The Koreans: Contemporary Politics and Society." Boulder: Westview Press, 1990. "Understanding Human Rights in North Korea." Sung-Chul Choi ed. Seoul: Center for the Advancement of North Korean Human Rights, 1997.

"North Korea: a Country Study." Andrea Matles Savada ed. Washington D.C.: Federal Research Division, Library of Congress, 1994.

U.S. Department of State, "Country Reports on Human Rights Practices for 1994." Washington D.C.: U.S Government Printing Office, 1995.

## JOURNAL ARTICLES

Chang Yun Ik. "Human rights Violations in North Korea: Tragic fate of Writers of South Korean Origin." *East Asian Review*. 6, No. 1 (Spring 1994): pp. 93-115.

Jones, Sidney. "'Asian' Human Rights, Economic Growth, and United States Policy" *Current History* 95, No. 605 (December 1996): pp. 419-427.

Ko Young Hwan. "Human Rights Conditions in North Korea." *East Asian Review*. 7, No. 4 (March 1996): p. 86.

"Regional Briefing: North Korea." *Far East Economic Review*. 162, No. 46 (18 November 1999): p. 15.

Roy, Denny. "Human Rights and National Security in East Asia" *Issues and Studies*. 35, No. 2 (March/April 1999): pp. 132-151.

The Chosun Ilbo. "A North Korea that Calls South Korea 'Enemy'" *Korea Focus: on Current Topics*. 7, No. 3 (May-June 1999): pp. 109-110.

Usher, Anne. "Escape From the Gulag." *Far Eastern Economic Review*. (25 November 1999): pp. 23-26.

## INTERNET

"A Handbook on North Korea," Korea Herald, Available Online: <http://www.koreaherald.co.kr/nkbook/nksc.html>. 21 Mar 99.

Amnesty International. *AI Report 1998: Korea (Democratic People's Republic of)*. 1999. Available Online: <http://www.amnesty.org/ailib/aireport/ar98/asa24.htm>. 21 Mar 99.

Amnesty International. *AI Report 1999: Republic of Korea (South Korea) Time to Reform the National Security Law*. 1999. Available Online: <http://www.amnesty.org/ailib/aipub/1999/asa25.htm> [21 Mar 99].

Byoung-lo Kim. "The Social Impact of the North Korean Food Crisis." Available Online: <http://www.koreaherald.co.kr/nknews/nk1298/nk12mst1.html>. 21 Mar 99.

Lim Yun-Suk. "North Korea Denounces Claims that Three Million Died of Famine." Available Online: <http://wwwnotes.reliefweb.int/f.../59FAFE4A91CC32B205256735005DD0CB?OpenDocument> 10 Nov 99.

"North Korea: An Oppressive Regime?" Life and Human Rights, no. 12 (Summer 1999). Available Online: [http://www.nkhumanrights.or.kr/eng/life/life99\\_su02\\_01.html](http://www.nkhumanrights.or.kr/eng/life/life99_su02_01.html). 31 Jul 99.

"President Kim Dae-Jung's Policies on North Korea." Available Online: <http://www.koreaemb.org/new/policy/Unification.htm>. 30 Jul 99.

The DPRK Socialist Constitution. Available Online: [http://www.korea-np.co.jp/pk/061st\\_issue/98091708.htm](http://www.korea-np.co.jp/pk/061st_issue/98091708.htm). 04 Aug 99.

U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. *Democratic People's Republic of Korea Country Report on Human Rights Practices for 1998*. 1999. Available Online: [http://www.state.gov/www/global/human\\_rights/1998\\_hrp\\_report/](http://www.state.gov/www/global/human_rights/1998_hrp_report/). 03 Oct 99.

U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. *Republic of Korea Country Report on Human Rights Practices for 1998*. 1999. Available Online: [http://www.state.gov/www/global/human\\_rights/1998\\_hrp\\_report/](http://www.state.gov/www/global/human_rights/1998_hrp_report/). 03 Oct 99.

Xiaorong Li. "'Asian Values' and the Universality of Human Rights." Available Online: <http://www.puaf.umd.edu/IPPP/li.htm>. 19 Jul 99.

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